

UNITED STATES DISTRICT COURT

Western District of Missouri

JUDGMENT IN A CIVIL CASE

RANDELL BROWN, Register No. 179887

v.

JOHN WESSING, et al

Case Number: 04-4196-CV-C-SOW

— **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

- That plaintiff's motion for preliminary injunctive relief is denied; it is further
- Ordered that the motions of defendants Correctional Medical Services, Wessing, Dills, and Kempker, to dismiss are granted and plaintiff's claims challenging denial of accommodation for his disability at Kansas City Community Center are dismissed, without prejudice, for failure to exhaust administrative remedies, pursuant to the provisions of 42 U.S.C. § 1997e; it is further
- Ordered that plaintiff's claims challenging the conditions imposed as to his conditional release date are dismissed, pursuant to 28 U.S.C. § 1915, for failure to state a claim on which relief may be granted.

ENTERED ON: May 25, 2005

May 25, 2005

Date

PATRICIA L. BRUNE

Clerk

/s L. Bax
(By) Deputy Clerk